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Counsel for Defendant Eduardo Subirats

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR 07-00788 JF
11 Plaintiff,) STIPULATION TO CONTINUE
12 vs.) STATUS DATE;
13) {PROPOSED} ORDER
14 AMIT EZYONI, et.al.)
15 Defendants.)

It is hereby stipulated between the United States of America, by and through Assistant United States Attorneys Jeffrey D. Nedrow, and defendants Asaf Nass, Limor Gefen, Daniel Rangel, Randy Goldberg, Brandi Aycock, David Lamondin, Stuart Sheinfeld, Christopher Sariol, and Eduardo Subirats, by and through their respective defense counsel, that the status date of September 23, 2010, be continued to December 16, 2010, at 10:00 a.m.

The reason for this continuance is that government completed the scanning of the final set of discovery earlier this month, and the production has not yet been converted to a database accessible to defense counsel. Once the conversion has been completed and distributed, defense counsel will need time to review the new production. Therefore the ends of justice served by such a continuance

STIP AND [PROPOSED] ORDER

1 outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of
2 Title 18 U.S.C. §3161(h)(8)(A).

3 The parties stipulate that the time between September 23, 2010, and December 16, 2010,
4 shall be excluded from the period of time within which trial must commence under the Speedy Trial
5 Act, 18 U.S.C. § 3161 et seq., pursuant to Title 18, United States Code, Section 3161(h)(8)(A),
6 considering the factors set forth in Section 3161(h)(8)(B). As required by 18 U.S.C. §3161
7 (h)(8)(B)(iv), it is stipulated that the ends of justice outweigh the best interest of the public and the
8 defendant in a speedy trial and the denial of the stipulation to continue the status hearing would
9 unreasonably deny the defendants reasonable time necessary for effective preparation of the pretrial
10 motions and defense, taking into account the exercise of due diligence, and would deny the
11 defendant continuity of counsel. 18 U.S.C. §3161(h)(8)(B)(iv).

12 It is so stipulated.

13 Dated: Sept. 16, 2010 Respectfully submitted,

14
15 /s/ Vicki H. Young
16 VICKI H. YOUNG, ESQ.
17 Attorney for Eduardo Subirats

18 Dated: Sept. 16, 2010 /s/ Edwin K. Prather
19 EDWIN K. PRATHER, ESQ.
20 Attorney for Asaf Nass

21 Dated: Sept. 17, 2010 /s/ Garrick S. Lew
22 GARRICK S. LEW, ESQ.
23 Attorney for Limor Gefen

24 Dated: Sept. 16, 2010 /s/ Mark Eibert
25 MARK EIBERT, ESQ.
26 Attorney for Daniel Rangel

27 Dated: Sept. 16, 2010 /s/ Sam Rabin
28 SAM RABIN, ESQ.
29 Attorney for Randy Goldberg

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2
3 Dated: Sept. 16, 2010

/s/ Ronald Gainor
RONALD GAINOR, ESQ.
Attorney for Brandi Acock

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6 Dated: Sept. 16, 2010

/s/ Mark Arnold
MARK A. ARNOLD, ESQ.
Attorney for David Lamondin

7
8 Dated: Sept. 16, 2010

/s/ Hugh Levine
HUGH A. LEVINE, ESQ.
Attorney for Stuart Sheinfeld

9
10 Dated: Sept. 16, 2010

/s/ Lara Vinnard
AFPD LARA VINNARD
Attorney for Christopher Sariol

11
12 Dated: Sept. 16, 2010

MELINDA HAAG
UNITED STATES ATTORNEY

13
14 Dated: Sept. 16, 2010

/s/ Jeffrey D. Nedrow
JEFFREY D. NEDROW
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES, IT IS HEREBY ORDERED that the status date of Sept. 23, 2010, is continued to Dec. 16, 2010, at 10:00 a.m.

The Court finds the time between Sept. 23, 2010, and Dec. 16, 2010, is excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial specifically based on the efforts of government counsel to make arrangements to provide electronic copies of the voluminous discovery to defense counsel. For these reasons, there is good cause for the continuance and failure to grant the continuance would unreasonably deny the government and the defendants reasonable time necessary for effective case preparation taking into account the exercise of due diligence under 18 U.S.C. 3161(h)(8)(B)(iv).

IT IS SO ORDERED.

DATE: 9/21/10

JEREMY FOGEL
UNITED STATES DISTRICT JUDGE